

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

VISHVA DESAI and PHILIP J. CHARVAT)
on behalf of themselves and others similarly) Case No.: 1:11-cv-1925
situated,)
)
Plaintiffs,) Judge Bucklo
) Magistrate Judge Keys
v.)
)
ADT Security Services, Inc.,)
)
Defendant.)

DEFENDANT ADT'S MOTION TO DISMISS PLAINTIFFS' AMENDED COMPLAINT

Pursuant to Federal Rules of Civil Procedure 12(b)(6), 12(b)(7), and 21, Defendant ADT Security Services, Inc. ("ADT") moves to dismiss all claims against it in Plaintiffs Vishva Desai's and Philip J. Charvat's Amended Complaint for failure to state a claim upon which relief can be granted, improper joinder of claims, and failure to join a necessary party. The reasons supporting this motion are set forth in the accompanying Memorandum of Law.

Dated: May 18, 2011

Respectfully submitted,

POLSINELLI SHUGHART PC

By: /s/ John A. Leja
John A. Leja (ARDC # 6256269)
161 N. Clark Street, Suite 4200
Chicago, IL 60601
Tel: (312) 819-1900
Cook County Atty. No. 47375

Of Counsel:
Robert L. Hickok
Michael E. Baughman
Pepper Hamilton LLP

3000 Two Logan Square
Eighteenth & Arch Streets
Philadelphia, PA 19103
(215) 981-4000
(215) 981-4750 *facsimile*
E-mail: hickokr@pepperlaw.com
baughmann@pepperlaw.com

*Attorneys for Defendant, ADT Security
Services, Inc.*